



**CITY COUNCIL**

JAN SUMRALL  
DISTRICT NO. 1

ROSE RODRIGUEZ  
DISTRICT NO. 2

LARRY M. MEDINA  
DISTRICT NO. 3

JOHN COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

LUIS G. SARIÑANA  
DISTRICT NO. 7

ANTHONY COBOS  
DISTRICT NO. 8

REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
OCTOBER 16, 2001  
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Father Luis Acevedo, Catholic Diocese, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

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**RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to accept, on behalf of the City of El Paso, the following gifts identified further in Exhibit A: (Exhibit on file with this Resolution in the City Clerk's Office).

1. Three color photographs by artist John Meigs entitled *Andrew Wyeth, Henriette Wyeth, and Peter Hurd*, offered by Susan and Mickey Schwartz.
2. One gelatin silver print by New Mexico artist Michael Berman entitled *Crossing, Vekol Range*, offered by Michael Berman.
3. Four untitled pen and ink drawings by El Paso artist José Cisneros offered by Dr. Nicholas and Margot Berlanga-Cummings.
4. One color photograph by El Paso artist J.B. Robbins, M.D. entitled *The Rooster*, circa 1960s, offered by Louis and Marie Robbins.
5. One acrylic on canvas painting by El Paso artist David Nakabayashi entitled *Reflections on Gardening and Armageddon #6*, 1998, offered by John Stier of El Paso, TX.
6. Two photographs by artist Joel Salcido entitled *Serenata a mi Muerte*, 1998, and *Camaron de Semana Santa*, 1997, offered by Joel Salcido.

Mayor Raymond C. Caballero thanked those who donated the wonderful pieces of art.

Ms. Ann Camp, Assistant Curator of the Museum of Art, extended the Museum of Art's thank you for the generous gifts.

motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried to approve the above Resolution.



That the Mayor be authorized to sign an Airline Operating Agreement and Terminal Building Lease between the City of El Paso, Texas (Lessor), and Continental Airlines (Lessee).

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of ELEVEN THOUSAND SEVEN HUNDRED NINETEEN AND NO/100THS DOLLARS (\$11,719.00 - \$3,000 loan/\$8,719 grant) against the following described real property:

The North 96.5 feet of Tract 12, CANDELARIA SUBDIVISION, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 6, Page 14, Plat Records of El Paso County, Texas; also known and numbered as 9324 San Pedro Lane, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of THREE HUNDRED FOURTEEN AND 36/100THS DOLLARS (\$314.36).

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of EIGHT THOUSAND THREE HUNDRED AND NO/100THS DOLLARS (\$8,300.00 - \$3,825 loan/\$4,475 grant) against the following described real property:

Lots 12 and 13, Block 6, HUGHES SUBDIVISION, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 13, Page 16, Plat Records of El Paso County, Texas; also known and numbered as 5622 Webster Avenue, El Paso, Texas 79905.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of TWENTY THOUSAND AND NO/100THS DOLLARS (\$20,000.00 - \$8,950 loan/\$11,050 grant) against the following described real property:

Lot 40, Block 13, TERRACE HILLS UNIT 2, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Volume 1, Page 33, Plat Records of El Paso County, Texas; also known and numbered as 10016 Kenworthy Street, El Paso, Texas 79924.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a

refund check resulting from an overpayment on the loan for the amount of SEVEN HUNDRED NINETY - ONE AND 46/100THS DOLLARS (\$791.46).

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of ELEVEN THOUSAND THREE HUNDRED AND NO/100THS DOLLARS (\$11,300.00 - \$10,701 loan/\$599 grant) against the following described real property:

Lot 7, PARK LANE SUBDIVISION, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 15, Page 45, Plat Records of El Paso County, Texas; also known and numbered as 330 Princeton Drive, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of TWO THOUSAND SEVENTY - THREE AND 47/100THS DOLLARS (\$2,073.47).

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of FIFTEEN THOUSAND AND NO/100THS DOLLARS (\$15,000.00 - \$6,750 loan/\$8,250 grant) against the following described real property:

Lot 8, Block 3, TIGUA PLACE, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in the Office of the County Clerk, El Paso County, Texas; also known and numbered as 8114 Tigua Circle, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Liens whereby the City releases its liens in the amounts of: (1) SEVENTY - ONE THOUSAND THREE HUNDRED AND NO/100THS DOLLARS (\$71,300.00 - \$69,400 loan/\$1,900 loan); and (2) TWO THOUSAND TEN AND NO/100THS DOLLARS (\$2,010.00 loan) against the following described real property:

The South 35.333 feet of the North 303.333 feet of the East ½ of Block 45, ANSON MILLS MAP of the City of El Paso, El Paso County, Texas, also known and numbered as 323 Chihuahua Street, El Paso, Texas 79901.

for consideration paid to the City in full satisfaction of those certain promissory notes executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller

issue a refund check resulting from an overpayment on the loans for the amount of TWO THOUSAND ONE HUNDRED SEVENTY - TWO AND 39/100THS DOLLARS [\$2,172.39 - (1)\$2,160.47/(2)\$11.92].

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of EIGHT THOUSAND NINE HUNDRED FIFTY AND NO/100THS DOLLARS (\$8,950.00 - \$8,310 loan/\$640 grant) against the following described real property:

Lot 4, Block 1, LONE STAR SUBDIVISION, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 12, Page 2, Plat Records of El Paso County, Texas; also known and numbered as 9041 Padilla Drive, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign the Cooperative Agreement, Assistance ID No. BP-98686001-0, between the City of El Paso and the United States Environmental Protection Agency. The Agreement provides for a grant in the amount of \$200,000 to cover costs of the El Paso Brownfields Site Assessment Demonstration Pilot Project. The principal expenditures anticipated for the Project will include Phase I and II Site Assessments for up to 22 sites, at a cost estimated to be \$145,000. In-kind services in the amount of \$119,873 will be provided as a match on the part of the City. The grant has a start date of October 1, 2001, and an end date of September 30, 2003.

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Agreement for Engineering Services between the **CITY OF EL PASO** and **Martinez Engineering Group**, for traffic engineering services for a period of two years in an amount not to exceed ONE MILLION DOLLARS AND 00/100 DOLLARS (\$1,000,000.00); and that city staff be authorized to negotiate and the Mayor be authorized to execute adjustments to this contract upon review and approval of Martinez Engineering Group and the City Attorney's office.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Agreement for Architectural Services between the **CITY OF EL PASO** and **Boyd & Associates, Inc.**, for a project known as "**Eastside Park Improvements**" for an amount not to exceed EIGHTY NINE THOUSAND SIXTY-SIX AND 00/100 DOLLARS (\$89,066.00) and

that city staff be authorized to negotiate and the Mayor be authorized to execute adjustments to this contract upon review and approval of Boyd & Associates, Inc., and the City Attorney's office.

Representative Sariñana stated that the jogging path would be included in the scope of work, as well as the addition of the picnic tables for Travis White park.

Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Agreement for Engineering Services between the **CITY OF EL PASO** and **Brock & Bustillos, Inc.**, for a project known as "**Westside Park Improvements**" for an amount not to exceed ONE HUNDRED FORTY THOUSAND EIGHT HUNDRED SEVEN AND 56/100 DOLLARS (\$140,807.56) and that city staff be authorized to negotiate and the Mayor be authorized to execute adjustments to this contract upon review and approval of Brock & Bustillos, Inc., and the City Attorney's office.

Representative Sumrall explained that Brock & Bustillos would be doing the renovations for the Westside parks due to the default of the former engineering firm. She thanked Mr. Charlie McNabb, Chief Administrative Officer, for his assistance regarding these projects.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign and submit a grant application, including all assurances and understandings therein, and related documentation for third year funding from the City of El Paso Police Department for a Underage Drinking Initiative Grant in the amount of \$200,000.00 from the Office of the Governor, Criminal Justice Division, the purpose of continuing efforts of the Police Department in reducing underage drinking through enforcement and public education; and that Lt. Diana Kirk be designated as the official representative of the City in connection with the grant application. Matching funds required in the amount of \$20,000.00.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Cooperative Working Agreement between the City of El Paso and the El Paso County Metro Narcotics Task Force, in conjunction with the Task Force's application for grant funding from the Criminal Justice Division of the Governor's Office. This agreement does not require or obligate any City funds.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Professional Services Agreement between the City of El Paso and NORMAN GORDON, to provide legal services regarding development issues applicable to the City.

**\*RESOLUTION**

**A RESOLUTION APPOINTING COUNCIL REPRESENTATIVE JOHN COOK A MEMBER OF THE TRANSPORTATION POLICY BOARD FROM THE CITY OF EL PASO, TEXAS, FOR THE METROPOLITAN PLANNING ORGANIZATION, FOR THE EL PASO URBAN TRANSPORTATION STUDY AREA.**

**WHEREAS**, the Bylaws of the El Paso Metropolitan Planning Organization, Transportation Planning Board (TPB) require that the governing body of the City appoint persons to said TPB; NOW THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

At the request of the Mayor, Representative John Cook is hereby appointed to the Transportation Policy Board for the Metropolitan Planning Organization for the El Paso Urban Transportation Study area.

**\*RESOLUTION**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A UTILITIES RELOCATION AGREEMENT BETWEEN THE CITY AND QWEST COMMUNICATIONS, INC., FOR RELOCATION OF TELECOMMUNICATIONS FACILITIES AS A PART OF THE COTTON STREET OVERPASS RECONSTRUCTION PROJECT.**

WHEREAS, the Texas Department of Transportation ("TxDOT") and the City of El Paso ("City") entered into an agreement wherein TxDOT is reconstructing that certain Union Pacific railroad street overpass in El Paso known as the Cotton Street Overpass; and,

WHEREAS, as a part of the cost share agreement with TxDOT, the City agreed to pay costs associated with the removal, relocation or adjustments of existing utilities located in the Union Pacific railroad right of way and necessitated by the reconstruction of the street overpass; and,

WHEREAS, Qwest Communications, Inc., (Qwest") has certain facilities requiring protection or relocation along, over and/or under the Union Pacific railroad right of way as a result of the reconstruction of the overpass; NOW THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

The Mayor is hereby authorized to sign a utilities Relocation Agreement between the City and Qwest Communications, Inc., for the relocation of telecommunications facilities as a part of the Cotton Street Overpass Reconstruction Project. The Mayor is also authorized to make any budget transfers and sign any other documentation necessary to accomplish the intent of this Resolution.

**\*RESOLUTION**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT FOR PROFESSIONAL APPRAISAL SERVICES BETWEEN THE CITY OF EL PASO AND JOHN P. KEMP, JR., MAI, REAL ESTATE APPRAISER. THE APPRAISAL SHALL BE TO ESTABLISH THE VALUE OF PROPERTY DESCRIBED AS A 5,750+/- SQUARE FOOT PARCEL OF LAND OWNED BY THE CITY AND LOCATED AT PAISANO**

DRIVE AND HARDESTY PLACE. SAID PARCEL IS LEGALLY DESCRIBED AS LOT 26 AND LOT 29 AND A PORTION OF LOT 30, BLOCK 2, ORCHARD PARK ADDITION, EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, Jack F. Chew, the abutting property owner has requested the City sell to him the hereinabove described parcel of land; and,

WHEREAS, the City's Development Coordinating Committee at its meeting September 30, 1998 by vote decided to recommend to the City Council that the request be granted and the parcel be sold at fair market value; NOW THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

The Mayor is hereby authorized to sign a contract for professional appraisal services between the City of El Paso and John P. Kemp, Jr., MAI, for a determination of the fair market value of a 5,750+/- square foot parcel of City land located at Paisano Drive and Hardesty Place and more particularly described as Lot 26 and Lot 29 and a portion of Lot 30, Block 2, Orchard Park Addition, El Paso, El Paso County, Texas. Estimated appraisal cost \$875.00.

Note: Square footage was corrected from 5.750 to 5,750.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Director of the El Paso Museum of Art be authorized to purchase on behalf of the City of El Paso the following work identified further in Exhibit A: (Exhibit on file with this Resolution in the City Clerk's Office).

1. One portfolio of 40 photographs by artist **Peter Goin** entitled ***Tracing the Line: A Photographic Survey of the Mexican-American Border*** purchased from Peter Goin at a purchase price of \$4,000.00 with funds provided by the Lipscomb Foundation Endowment Fund.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Director of the El Paso Museum of Art be authorized to purchase on behalf of the City of El Paso the following work identified further in Exhibit A: (Exhibit on file with this Resolution in the City Clerk's Office).

1. One etching by artist **Mel Chin** entitled ***Combo Club*** purchased from Mel Chin at a purchase price of \$1,500.00 with funds provided by the Lipscomb Foundation Endowment Fund.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Director of the El Paso Museum of Art be authorized to purchase on behalf of the City of El Paso the following work identified further in Exhibit A: (Exhibit on file with this Resolution in the City Clerk's Office).

1. One oil painting on canvas by artist **Sam Reveles** entitled ***Tigua*** purchased from CRG Gallery at a purchase price of \$12,750.00 with funds provided by the Lipscomb Foundation Endowment Fund.



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**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a "Park Partner" Agreement with the following organization for maintenance and other services on City property as described in the Agreement.

El Paso Central Lions Club                      Lions Plazita Park

AND THAT the Mayor be further authorized to sign additional documents and take additional action necessary to fulfill the purpose of this contract.

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**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2001-2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**AQUATICS**

**NO. 51010281, 201011**

1.      CONTRACTOR:      Aaron Castro, Pool Attendant, Step 1  
         DATES:              October 1, 2001, thru September 30, 2002  
         RATES PER HR:      \$5.40  
         CONTRACT NO:      2001/2002-035

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**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2001-2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**AQUATICS**

**NO. 51010281, 501011**

1.      CONTRACTOR:      Robert Anthony McDaniel, Learn to Swim Instructor I, Step 1  
         DATES:              October 1, 2001, thru September 30, 2002  
         RATES PER HR:      \$5.35  
         CONTRACT NO:      2001/2002-154

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

**RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the Personal Services Contract between the **CITY OF EL PASO** and **ALVARO (AL) MARTINEZ, JR.**, as a Web Site Administrator for the Information Services Department to change the time of performance to October 17, 2001 through August 28, 2003.

Ms. Terry Bond, Interim Director of Personnel, explained that the salary for this position was \$1,937.62 bi-weekly.

### \*RESOLUTION

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **MARTY SNORTUM** to work as a Photographer for the Museum of Art. The contract period is from October 17, 2001 through October 16, 2002. The total amount of contract not to exceed \$5,000.00.

**\*RESOLUTION**

That the Mayor be authorized to sign an Agreement with MULLIGAN'S NORTH BAR & GRILL to lease them One (1) 4 Cubic Yard Dumpster for a service fee of \$15.00 each month and their recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

Department: Fire  
Funds available: 010320-203118  
Funding source: General Operating Fund  
Total amount: \$15,000.00 (estimated annually)

\*Motion made, seconded and unanimously carried to appoint Eddie Contreras to the Parks and Recreation Advisory Board by Mayor Raymond C. Caballero.

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\*Motion made, seconded and unanimously carried to delete the Board Appointment of Representative John Cook to the Metropolitan Planning Organization/Transportation Policy Board by Mayor Raymond C. Caballero. (Appointment was made by Resolution on page 7.)  
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\*Motion made, seconded and unanimously carried to appoint John A. Bielawski to the El Paso Fire Department Medical Services (FMS) Policy Board by Representative Cook.

NOTE: Board name was revised to read: "El Paso Fire Department Medical Services (FMS) Policy Board".  
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\*Motion made, seconded and unanimously carried to appoint Ann Marshall May to the Mayor's Advisory Board on Aging by Representative Sumrall.  
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\*Motion made, seconded and unanimously carried to award Bid No. 2001-028R Comprehensive Automated Library System (CALS)  
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Award to: epixtech, Inc.  
Provo, UT  
  
Amount: \$374,758.00  
Department: Library (Public Works)  
Funds available: Account 508010 - Funds 26279 - Department I. D. 31150512  
Project: PPW0056004  
Funding source: General Obligation Funded - Capital  
Total Award: \$374,758.00

Library, Library Automated System Review Committee, and Purchasing recommend award as indicated as this vendor submitted the best proposal meeting this Request for Proposal.

Additionally, it is requested authorization for the City staff to negotiate, City Attorney's Office to review, and the Mayor be authorized to execute any related contract documents and agreements necessary during the contract.  
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\*Motion made, seconded and unanimously carried to award Bid No. 2001-215 Concrete Saws

Award to: United Rentals  
El Paso, TX  
Item: 1A with Optional Items O1-1, O1-4, O1-5, O1-6, O1-7, O1-8, O1-11  
2 with Optional Items O2-1, O2-2, O2-3, O2-4, O2-5, O2-6, O2-7  
Amount: \$37,756.49  
Department: Street  
Funds available: 04250101-508009-PMB0001-130  
Funding source: FY2000 Contractual Obligations  
Total amount: \$37,756.49

The Street and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties. Lower bids were received but did not meet specifications as detailed in the backup.

This is a fixed-price, single (one-time) purchase, to purchase two (2) 14" Concrete Saws and one (1) 30" Concrete Saw. There is an option to purchase up to one hundred percent (100%) of the original contract

quantities, at the same unit price, if the option is exercised within sixty (60) days from the date of award of the contract. No prompt payment discount is offered.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

Bid No. 2001-264R Physical Exam Services

Representative Medina noted that he did not have the appropriate back up information for this item. He moved to postpone the item for one week.

Mr. Byron Johnson, Director of Purchasing, stated that this was not a bid but rather than RFP and that in an RFP cost is only one factor for award. He mentioned the other factors as facilities and qualifications. He explained the reasons why the RFP was recommended for award to Las Palmas & Del Sol Regional Healthcare System. He discussed the difficulties experienced with Concentra.

Mr. Charlie McNabb, Chief Administrative Officer, reiterated that this item was not a bid but rather a proposal. He explained that the proposer with the highest scoring, based on the factors set forth in the bid specifications, should be awarded the contract.

Representative Sumrall stated that she saw no reason in postponing the item and questioned whether Concentra had contacted any other Council Members. She mentioned that she had not spoken with a representative from Concentra.

Representative Escobar stated that if the City fails to detect a possible medical condition prior to the individual becoming a City employee then that individual may become a burden on the City's health plan.

Representative Rodriguez agreed with Representative Medina's request to postpone the item for one week.

Ms. Terry Bond, Interim Director of Personnel, stated that it would not cause undue hardship to postpone the item for one week.

Representative Sariñana made comments.

Motion made by Representative Rodriguez, seconded by Representative Medina and carried to postpone one (1) week Bid No. 2001-264R Physical Exam Services

Award to:	Las Palmas & Del Sol Regional Healthcare System
	El Paso, TX
Items:	All
Amount:	\$102,800.00 (Estimated annually)
Department:	Personnel
Funds available:	Various
Funding source:	Various
Total Award:	\$102,800.00

Personnel, Evaluation Committee, and Purchasing recommend award as indicated as this vendor is deemed to have submitted the best proposal.

This is a Thirty-six (36) month Service Requirement Contract.

The vote to postpone the item for one week was as follows:

Representative Sumrall, Representative Power, Representative Escobar, Representative Sariñana voted Nay.  
Representative Rodriguez, Representative Medina, Representative Cook, Representative Cobos voted Aye.  
Mayor Raymond C. Caballero broke the tie with an Aye vote. Motion carried.

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\*Motion made, seconded and unanimously carried to award Bid No. 2001-276 Floor & Carpet Maintenance Machines (Rebid)

Award to:	Vendor 1:	Best Machine Repair, Inc El Paso, TX
Item:		4 and 6
Amount:		\$6,070.00
Award to:	Vendor 2	Modesto Janitorial Supply Modesto, CA
Item:		1
Amount:		\$3,779.00
Award to:	Vendor 3	Regal Supply & Chemical El Paso, TX
Item:		3 and 5
Amount:		\$8,565.00
Department:		Department of Aviation
Funds available:		620020-208008-500004
Funding source:		Airport Enterprise Fund
Total amount:		\$18,414.00

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offers meeting specifications, from responsible parties.

Springtime Janitorial Supply was non-responsive due to a lack of an original signature binding the offeror, and therefore is non-responsive on their overall bid. Likewise, Facilities Connection took exception to the City's minimum specifications for delivery, and therefore is non-responsive on their overall bid. Furthermore, it is requested to reject all bids submitted for Item 2 since all bids received did not meet the specifications. This item is being deleted.

This is a fixed-price, single (one-time) purchase, for carpet and floor polishers, scrubbers and vacuum cleaners, for the El Paso International Airport.  
Vendor 1 offers the City the option of purchasing up to one hundred percent [100%] of the original contract quantities, at the same unit price, if the option is exercised within sixty (60) days from the date of award of the contract. Vendor 2 and Vendor 3 offer the City the option of purchasing up to one hundred percent [100%] of the original contract quantities, at the same unit price, if the option is exercised within one-hundred and eighty (180) days from the date of award of the contract.  
Vendors do not offer a prompt payment discount.

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\*Motion made, seconded and unanimously carried to award Bid No. 2001-285 Medical Supplies

Award to:	Vendor 1:	Ambu Linthicum, MD
Item:		#s 90,91
Amount:		\$1,174.00 (Estimated annually)

Award to:	Vendor 2	American La France Medicmaster Sanford, FL
Item:		#'s 62,68
Amount:		\$11,432.00 (Estimated annually)
Award to:	Vendor 3	Bellco Drug Corp. N. Amityville, NY
Item:		#'s 12,82
Amount:		\$497.00 (Estimated annually)
Award to:	Vendor 4	Emergency Medical Products Waukesha, WI
Item:		#'s 6,7,8,9,11,14,15,17,18,20,21,22,27,28,29,32,42,44,45,50,54,55,63,64,65, 66,74,76,78,88
Amount:		\$99,289.30 (Estimated annually)
Award to:	Vendor 5	Emergency Medical Supply Sheperdsville, KY
Item:		#'s 9,10,31,36,38,39,43,45,46,51,58,59,67,77,84,85
Amount:		\$36,773.60 (Estimated annually)
Award to:	Vendor 6	Eveready First Aid Brooklyn, NY
Item:		#'s 19,23,33,60,61
Amount:		\$9,661.50 (Estimated annually)
Award to:	Vendor 7	Medical Supply Depot Mobile, AL
Item:		#'s 47,48,49,86
Amount:		\$3,000.20 (Estimated annually)
Award to:	Vendor 8	Moore Medical Corp. New Britain, CT
Item:		#'s 47,52,73
Amount:		\$121.10 (Estimated annually)
Award to:	Vendor 9	Offshore Medical Group, Inc. Miami, FL
Item:		#'s 5,16,26,34,35,71,72
Amount:		\$2,603.73 (Estimated annually)
Award to:	Vendor 10	PMX Medical Lewisville, TX
Item:		#'s 13,25
Amount:		\$63,820.00 (Estimated annually)
Award to:	Vendor 11	Primary Medical Supply W. Babylon, NY
Item:		#'s 1,2,30,89
Amount:		\$14,436.00 (Estimated annually)
Award to:	Vendor 12	RX EMS Wilsonville, OR
Item:		#4

Amount: \$594.00 (Estimated annually)

Award to: Vendor 13 Safeguard Medical Supply, Co.  
Houston, TX

Item: #'s 3,40

Amount: \$28,050.00 (Estimated annually)

Award to: Vendor 14 Redline Medical Supply, Inc.  
Golden Valley, MN

Item: #24

Amount: \$68.80 (Estimated annually)

Award to: Vendor 15 Henry Schein, Inc.  
Melville, NY

Item: #'s 75,92

Amount: \$17,462.00 (Estimated annually)

Award to: Vendor 16 Southeastern Emergency Equipment  
Wake Forest, NC

Item: #'s 53,83,87

Amount: \$106.00 (Estimated annually)

Award to: Vendor 17 Tri-Anim Health Services, Inc.  
Sylmar, CA

Item: #'s 41,56,57,69,70

Amount: \$4,946.20 (Estimated annually)

Department: Fire

Funds available: 22010090-503112

Funding source: General Funds

Total amount: \$294,035.43

The Fire and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendors #1 and #14 offer the City the option to extend the term of the contract at the same unit prices for one (1) or two (2) additional years if the option is exercised within one (1) or two (2) years from the date of the award.

Vendors #7 and #10 offer the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

Vendors #3 and #12 offer the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

Vendors #9 and #10 offer the City a prompt payment discount of 1% 10 days.

Item #37 will not be awarded, will revised specifications and will be re-bid at a later date.

This is a Requirements Type Contract with an initial term of Twenty Four (24) months.

.....  
Motion made, seconded and unanimously carried to award Bid No. 2002-008 Medical Exam Gloves

Award to: American Healthcare Products, Inc.  
Signal Hill, CA  
Item: #1 (all)  
Amount: \$80,000.00 (Estimated annually)

Department: Fire  
Funds available: 22009-503112  
Funding source: General Operating  
Total amount: \$80,000.00

The Fire and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

No options were offered by the Vendor.

This is a Requirements Type Contract with an initial term of Twenty Four (24) months.

.....  
\*Motion made, seconded and unanimously carried to award Bid No. 2002-010 Niehoff Alternators, Niehoff Related Parts & Service

Award to: C.C. Battery Co., Inc.  
Corpus Christi, TX  
Item: Group A, Item #1, Group B, Item #1 (all)  
Amount: \$20,000.00 (Estimated annually)

Department: Fire  
Funds available: 22010-503118  
Funding source: General Operating  
Total amount: \$20,000.00

The Fire and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Group C (Service) will not be awarded at this time, will review specifications and re-bid at a later date.

The Vendor offers the City the option to extend the terms of the contract at the same unit prices for one (1) additional year if the option is exercised one (1) year from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty Six (36) months.

.....  
\*Motion made, seconded and unanimously carried to award Bid No. 2001-282 Paint & Painting Supplies

Award to: Vendor 1: Dunn-Edwards / Wellborn Paints  
Albuquerque, NM  
Item: 21,22,23,24,25,26,30,39,41,56,59 (Paint)  
Amount: \$25,933.40 (Estimated annually)

Award to: Vendor 2: Sherwin - Williams Company  
El Paso, TX  
Item: 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,27,28,29,31,32,33,34,35,  
36,37,38,40,42,43,44,45,46,47,48,49,50,51,52,53,54,55,57,58  
(Painting supplies)  
Amount: \$13,058.10 (Estimated annually)



Department:	PW / Building Maintenance
Funds available:	31010326-31010325-31010327-31010350-31010328-502226
Funding source:	General Funds
Total amount:	\$38,991.50

The PW / Building Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor #1 had the overall VOC (volatile organic compound) paints meeting the City VOC specifications. This supplier also provided a label analysis as required by the city specifications.

Vendor #1 offer the City the option to extend the terms of the contract at the same unit prices for one (1) or two (2) additional years if the option is exercised within one (1) or two (2) years from the date of the award and also offers the City the prompt payment discount of 2% 10 days.

Vendor #2 had the lowest overall bid for the painting supplies and will be awarded as such.

Vendor #2 offer the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award and also offer the City the prompt payment discount of 1% 10 days.

This is a Requirements Type Contract with an initial term of Thirty Six (36) months.

.....

\*Motion made, seconded and unanimously carried to award Bid No. 2002-001 Citywide Unpaved Street Improvements Phase I

Award to: J. A. R. Concrete, Inc.  
El Paso, TX

Department:	Street Department
Funds available:	04250202-PPW0028001-27172-508027
Funding source:	FY 2001 C.O.'s
Base Bid I:	\$ 32,675.00
Base Bid II:	\$ 40,990.00
Base Bid III:	\$ 61,200.00
Alternate #1:	\$ 4,490.00
Alternate #2:	\$ 3,230.00
Alternate #3:	\$ 5,290.00
Total amount:	\$147,875.00

#### RECOMMENDATION:

The Purchasing Department recommends the award of this contract to J.A.R. Concrete, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change

order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

**DESCRIPTION OR EXPLANATION:**

Base Bid I:	\$ 32,675.00
Base Bid II:	\$ 40,990.00
Base Bid III:	\$ 61,200.00
Alternate #1:	\$ 4,490.00
Alternate #2:	\$ 3,230.00
Alternate #3:	\$ 5,290.00
Total Recommended Award:	\$147,875.00

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-016 PARKS & RECREATION

This transfers funds from the User Fee Account of San Juan Senior Center to purchase 2 pool tables. Existing pool tables are over 20 years old and in bad shape.

Increase	\$3000	to	51510180/P50022016320/407002	Estimated Revenue
Increase	\$3000	to	51510180/P50022016320/503116	Recreational Sup

.....  
\*Motion made, seconded and unanimously carried to approve the request of Elizabeth Branham to hold a community awareness walk/demonstration on October 26, 2001 from 6:00 p.m. to 7:45 p.m. Route: In front of Prince Machiavelli, 533 Executive Blvd., between Mesa and I-10/Gateway West. Approximately 75 persons will take part. PERMIT NO. 01-141

.....  
\*Motion made, seconded and unanimously carried to approve the request of The University of Texas at El Paso to hold the Homecoming 2001 Parade on October 19, 2001 from 10:00 a.m. to 2:00 p.m. Route: Start at Oregon and Baltimore, proceed on Oregon, right on University, right on Sun Bowl Drive, right into UTEP parking lot A-1. Approximately 500 persons and 40 vehicles will participate and 2,000 spectators are anticipated. This request includes permission to use amplification (1 bullhorn, PA system). PERMIT NO. 01-142

.....  
\*Motion made, seconded and unanimously carried to approve the request of KLAQ to hold the 16<sup>th</sup> Annual Halloween Parade on October 31, 2001 from 3:00 p.m. to 5:00 p.m. Route: Start at the south entrance to Album Park off Album Street, proceed out of the park, go west on Album past Wedgewood to Cork, left on Cork, south on Cork to Daphnie, right on Daphnie, west on Daphnie to Fir, left on Fir, south on Fir to Bermuda, east on Bermuda to Zanzibar, left on Zanzibar, north on Zanzibar to Album, right on Album and proceed back into Album Park south entrance. Approximately 600 persons and 60 vehicles will take part and 12,000 spectators are anticipated. This request includes permission to use amplification (PA system & loudspeaker at start and end of parade). PERMIT NO. 01-145

.....  
\*Motion made, seconded and unanimously carried to approve the request of Greater El Paso Red Ribbon Campaign Committee to hold a parade on October 20, 2001 from 10:00 a.m. to 11:30 a.m. Route: Start at Hawkins and Gazelle, proceed north on Hawkins to Edgemere, west on Edgemere to Burges High School. Approximately 500 persons and 20 vehicles will take part, and 500 spectators are anticipated. This request includes permission to use amplification (microphone). PERMIT NO. 01-146

.....  
\*Motion made, seconded and unanimously carried to approve the request of Rosalia Andujo to block off alley between Sixth & Seventh and Cotton & Park on October 20, 2001 from 8:00 a.m. to 8:00 p.m. for a block party. Approximately 80 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT NO. 01-147

.....  
ORDINANCE 14951

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III- PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO INCLUDE WESTWIND DRIVE FROM BELVIDERE STREET TO A POINT 680 FEET NORTH THEREOF, BOTH SIDES. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Sumrall explained that the employees of West Telemarketing are utilizing Westwind Drive as a parking lot. To avoid this she said she is very much in favor of this Ordinance.

Motion duly made by Representative Sumrall, seconded by Representative Power that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None                                      Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
ORDINANCE 14952

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO INCLUDE GRAN VISTA DRIVE BETWEEN EE TREVINO DRIVE AND ALBERT SAAB DRIVE, BOTH SIDES. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Sariñana, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None                                      Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
ORDINANCE 14953

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO INCLUDE ALBERT SAAB DRIVE BETWEEN GRAN VISTA DRIVE AND GATEWAY EAST BOULEVARD, BOTH SIDES. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

otion duly made by Representative Sariñana, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14954

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.150 (SCHEDULE XIV, SPEED LIMITS), OF THE EL PASO MUNICIPAL CODE, TO REDUCE THE SPEED ON CERTAIN SECTIONS OF LEE TREVINO DRIVE. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO CITY CODE.**

Motion duly made by Representative Power, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14955

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.44 (STOPPING, STANDING AND PARKING GENERALLY), SECTION 12.44.180 (REGULATIONS PERTAINING TO CERTAIN SPECIAL SITUATIONS) AMENDING PARAGRAPH (B) (9) TO INCREASE THE NUMBER OF PARKING SPACES FOR THE MEXICAN CONSUL. THE PENALTY BEING AS PROVIDED IN SECTION 12.48.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Cook asked how many additional parking spaces are being approved. Mayor Raymond C. Caballero responded that five spaces would be added.

Mr. Reginald Bussey, Assistant City Attorney, added that the Mexican Consul currently has 20 parking spaces.

Motion duly made by Representative Cobos, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14956

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF SANITATION ASSISTANT SUPERINTENDENT AND CHANGE THE TITLE TO ASSISTANT DEPUTY DIRECTOR FOR SOLID WASTE MANAGEMENT**

Representative Sumrall questioned what individual currently occupies this position.

Ms. Terry Bond, Interim Director of Personnel, stated that the position is currently a provisional position and not permanently filled. She stated that the position would be advertised.

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
\*Motion made, seconded and unanimously carried to delete the Public hearing to determine if the property located at 10701 Pleasant Hill Drive in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.

.....  
Motion made, seconded and unanimously carried to postpone four (4) weeks the Public hearing to determine if the property located at 537 Emerson Street in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.

.....  
\*Motion made, seconded and unanimously carried to delete the item Richard Telles-Goins would like to address Council on the absurdity of Ordinance 14730 **[An Ordinance Amending Title 18, (Building and Construction), Chapter 18.20 (Plumbing Code), of the City of El Paso Code, to adopt the 2000 edition of the International Plumbing Code with changes appropriate for the City of El Paso. The penalty being as provided in Section 18.02.107 of the El Paso City Code]** and request its repeal and to place the work required on the entity responsible for providing safe water.

.....  
Motion made by Representative Sumrall, seconded by Representative Medina and carried to approve the appeal by Luis Oscar Muñoz at 865 Resler, Suite C on the denial of a license for the sale of alcoholic beverages due to the business's proximity to a commercial daycare and a school in accordance with Section 20.08.090(B)(1) and 20.08.090(B)(4) of the El Paso Municipal Code.

Representative Sumrall opened the discussion and gave Council Members a history regarding the business.

Representative Sariñana voted Nay.

.....  
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to approve the proposed enforcement initiative by Building Services and Fire Departments entitled "Operation Clean Sweep Downtown".

Representative Sumrall remarked that a new court of law would be added to hear environmental court issues.

Mr. Terry Williams, Deputy Director of Building Services, introduced Chief Stan Roberts, Fire Marshal. He explained that the next phase of Operation Clean Sweep has come into play. He stated that both the Building Services Department and Fire Department will begin cleaning up the City's "living room", the downtown area. He further stated that a team composed of two Fire Inspectors, one Building Inspector and one Code Compliance Inspector have been assigned to the downtown area and these individuals will go building by building, property by property if necessary, looking for and giving correction notices. He also stated property owners will be asked to clean up and make the necessary repairs to the properties. He stated that the Downtown Business Association has affirmed the support of this project.

Representative Cook explained that Dyer Street in the Northeast El Paso has made great strides in improving the appearance of the Northeast area. He commended Mr. Williams for the great work his department is doing in this endeavor.

Representative Medina stated that this is vital to the improvement of the appearance of downtown El Paso.

Representative Sumrall asked whether a fund source was available to assist downtown property owners who are experiencing financial difficulties with these improvements.

Mayor Raymond C. Caballero stated yes there are some fund sources available.

Mr. Williams remarked that the Planning Department is looking into assisting some of the historic buildings with their improvements through the American Institute of Architects local chapter.

Chief Roberts remarked that the Fire Department is happy to endorse and support this project.

.....  
Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance granting a Special Privilege to Aventis Behring, Owner, permitting the encroachment of two wall signs onto public right-of-way at 720 Texas Street. Fee: \$3,300.00 SP-01015.
- B. An Ordinance granting a Special Privilege to Aventis Behring, Owner, permitting the encroachment of one wall sign onto public right-of-way at 3515 Alameda Avenue. Fee: \$1,650.00. SP-01016.
- C. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code, to reduce the speed on certain sections of Zaragoza Road. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.
- D. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.010 (Schedule 1 - One-way Streets) to include Laurel Street, northbound between Yandell Avenue and Wyoming Avenue. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.

**PUBLIC HEARING WILL BE HELD ON OCTOBER 30, 2001 FOR ITEMS A - D**

- E. An Ordinance granting Special Permit No. SU-01013 to allow for a parking reduction on Parcel 1, described as the North 6 Feet of Lot 6, all of Lot 7 and the South 18 Feet of Lot 8, Block 46, ALEXANDER ADDITION, El Paso, El Paso County, Texas (1515 North Mesa Street); and to satisfy parking requirements by allowing off-site, off-street parking on Parcel 2, described as Lots 11-20, Block 46, ALEXANDER ADDITION (1500 Block of North Oregon Street,) pursuant to Sections 20.64.175 and 20.52.060.D (Zoning) of the El Paso Municipal Code, the penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. ZONE: S-D (Special Development). Applicant/Representative: Arthur L. Ramirez, M.D., 1810 Murchison, Ste. 304, El Paso, TX 79902.
- F. An Ordinance granting Special Permit No. SU-01015 to allow for a parking reduction on Parcel 1, described as a portion of Lot 11, Block 10, LOMAS DEL REY REPLAT, El Paso, El Paso County, Texas (4808 North Mesa Street); and to allow off-site, off-street parking on Parcel 2, described as Lots 8, 9, and a portion of Lot 10, Block 10, LOMAS DEL REY REPLAT, El Paso, El Paso County, Texas (109 East Castellano Drive), to satisfy parking requirements, pursuant to Sections 20.64.175 and 20.36.040.K (Zoning) of the El Paso Municipal Code, the penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. ZONE: C-1 (Commercial). Applicant: Mad Hatter Tearoom / Representative: Steven Jones, P.O. Box 3787, El Paso, TX 79923.
- G. An Ordinance changing the zoning of Lot 1, Block 10, EASTWOOD SECTION 1, El Paso, El Paso County, Texas (1139 Caper Street) from R-3 (Residential) to A-O (Apartment-Office). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Ediberto Soto-Cora, M.D. / Representative: Manuel J. Carlin, 517 Isabella Drive, El Paso, TX 79912. ZC-01056.
- H. An Ordinance changing the zoning of all of Lots 7 and 8, Block 4, VALLE ENCANTADO, El Paso, El Paso County, Texas (492 and 496 Link Drive) from C-1 (Commercial) to C-3 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Alfonso and Evangelina Soto; 7725 Alameda Avenue, El Paso, TX 79915 / Representative: Adrian Hernandez; P. O. Box 11237, El Paso, TX 79995. ZC-01050.
- I. An Ordinance changing the zoning of a portion of Lot 2, Block 9, LAFAYETTE PLACE, El Paso, El Paso County, Texas (8021 North Loop Drive) from R-3 (Residential) to C-1 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Jose Ponce V; 4681 Shifting Sand, El Paso, TX 79938 / Representative: Roe Engineering, L.C.; 601 N. Cotton Suite 6, El Paso, TX 79902. ZC-01051.

#### **PUBLIC HEARING WILL BE HELD ON NOVEMBER 6, 2001 FOR ITEMS E - I**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

#### **ADDITION TO THE AGENDA**

Motion made, seconded and unanimously carried to move to the Regular Agenda the Resolution that the Mayor be authorized to sign a Personal Services Consultant Contract between the CITY OF EL PASO, on behalf of the El Paso Fire Department, and PETER QUINLAN to provide inspection and assessment of blasting operations conducted at all quarry facilities in El Paso. Consultant will be paid at the rate of Three Thousand Seven Hundred Sixty Dollars (\$3,760.00) for an estimated three-day inspection and assessment. Consultant may be paid Eight Hundred Ninety-Five Dollars (\$895.00) for one additional day beyond the

initial three days, if necessary as determined by the Fire Chief. The total contract amount shall not exceed Four Thousand Six Hundred Fifty-Five Dollars (\$4,655.00). The contract period shall be from October 23, 2001 and be completed by November 26, 2001.

Representative Cook moved to deny, Representative Sariñana seconded.

Representative Medina asked if the item might be sent to a Legislative Review Committee meeting as he has several questions regarding the issues. He thought perhaps the Building Services or Fire Department Legislative Review Committee might be the best choices since the item concerns both permits and the Fire Department.

Mayor Raymond C. Caballero explained that the item could not be denied due to a mandatory Ordinance which states that the City must perform testing.

Chief Stan Roberts, Fire Marshal, remarked that the Fire Department has been asked to ascertain whether the quarry operations are within the guidelines of the Fire Prevention Code. He explained that the Fire Department does not have the expertise to make the determination; therefore, the Department contacted Mr. Quinlan. He stated that the Mayor's office had asked the Fire Department to ascertain whether the facilities conducting blasting are operating within the Fire Prevention Code. The Fire Department was asked to undertake this project approximately three months ago.

Representative Sariñana asked Mr. Jobe several questions regarding the operations of the quarries, blasting procedures, number of employees, etc.

Mr. Stanley Jobe, owner of Jobe Concrete, Inc., explained that Jobe Concrete has been in operation for 50-60 years; however, the McKelligon quarry has been in operation since 1990, the Torrey quarry located near the ASCARCO plant has been in existence since 1902. He clarified that the Safety Director, Mr. Hector Paquian, has always been very cooperative with the Fire Department and any other agency that has requested access or information regarding the business. He thought that the City was wasting monies hiring a consultant when the Fire Department is very capable of handling the matter. He stated Jobe Concrete has held blasting seminars in the past and has given this information to the Fire Department and that Jobe Concrete does hold a blasting permit with the City of El Paso. He also stated the business employs over 640 persons.

Representative Medina again asked that the item be sent to a Legislative Review Committee for further review. He moved to send the item to a Joint Legislative Review Committee meeting of both the Fire Department and Public Works Department. Representative Sumrall seconded.

Mayor Caballero explained that he has come into the position of Mayor to provide professional independent administration for the City and to enforce the law(s). He stated he does not distinguish between small or large businesses, he acts according to the law. He agreed that the matter should be sent to Legislative Review Committee for further discussion; however, if the Motion to deny is approved he would suspend blasting.

Ms. Rita Rodriguez, First Assistant City Attorney, explained that what is on the scope of duties is exactly what was written from the Ordinance and what the requirements are. She went on to say the Fire Department has indicated that they do not have the equipment nor the expertise to do the testing and when an Ordinance is passed by Council Members, the Ordinance is to be upheld; however, this was not done in this case. She remarked that Mr. Quinlan had assisted the City in writing the Ordinance which was the reason(s) he was selected.

Representative Sumrall stated that the idea of a blasting consultant on call would be an advantage for the City due to the seriousness of the matter.



Mayor Caballero noted that the Ordinance states the consultant would be paid for by Jobe Concrete, Inc.

Mr. Jobe explained that the Fire Department has performed all the inspections and asked that the City Attorney's office, Fire Department and/or other Departments go through the documents for accuracy. He stated no one is ever denied access to the property.

Representative Power explained that the City was not attacking any individual business and that he would not make a decision on the matter today. He agreed with Representative Medina's request to send the item to a Legislative Review Committee.

Motion made by Representative Medina, seconded by Representative Power and unanimously carried to postpone four (4) weeks and move to the Legislative Review Committee the Resolution that the Mayor be authorized to sign a Personal Services Consultant Contract between the CITY OF EL PASO, on behalf of the El Paso Fire Department, and PETER QUINLAN to provide inspection and assessment of blasting operations conducted at all quarry facilities in El Paso. Consultant will be paid at the rate of Three Thousand Seven Hundred Sixty Dollars (\$3,760.00) for an estimated three-day inspection and assessment. Consultant may be paid Eight Hundred Ninety-Five Dollars (\$895.00) for one additional day beyond the initial three days, if necessary as determined by the Fire Chief. The total contract amount shall not exceed Four Thousand Six Hundred Fifty-Five Dollars (\$4,655.00). The contract period shall be from October 23, 2001 and be completed by November 26, 2001.

.....  
**\*RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT FOR PROFESSIONAL APPRAISAL SERVICES BETWEEN THE CITY OF EL PASO AND CURTIS R. "PETE" SELLERS, GAA, REAL ESTATE APPRAISER. THE APPRAISAL SHALL BE TO ESTABLISH THE VALUE OF PROPERTY DESCRIBED AS \ 16,703+/- SQUARE FOOT PARCEL OF LAND OWNED BY THE CITY AND LOCATED AT YERMOLAND DRIVE AND KESSLER STREET, SAID PARCEL IS LEGALLY DESCRIBED AS A PORTION OF LOTS 1, 2 AND 3, BLOCK 2, KESSLER INDUSTRIAL DISTRICT UNIT 1, EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, Basilio A. Silva, Jr., P. E., the abutting property owner and President of Vistacon, Inc., has requested the City sell to him the hereinabove described parcel of land; and,

WHEREAS, the City's Development Coordinating Committee at its meeting September 6, 2000 by vote decided to recommend to the City Council that the request be granted and the parcel be sold at fair market value; NOW THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

The Mayor is hereby authorized to sign a contract for professional appraisal services between the City of El Paso and Curtis R. "Pete" Sellers, GAA, for a determination of the fair market value of a 16,703+/- square foot parcel of City land located at Yermoland Drive and Kessler Street, more particularly described as a portion of Lots 1, 2 and 3, Block 2, Kessler Industrial District Unit 1, El Paso, El Paso County, Texas. Estimated appraisal cost \$1,000.00.

.....  
**\*RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT FOR PROFESSIONAL APPRAISAL SERVICES BETWEEN THE CITY OF EL PASO AND MARTHA GAYLE REID, MAI, REAL ESTATE APPRAISER. THE APPRAISAL SHALL BE TO ESTABLISH THE VALUE OF AN APPROXIMATELY ONE ACRE PARCEL OF PROPERTY UNDER PURCHASE CONTRACT TO THE CITY FOR A FIRE STATION SITE. SAID SITE IS DESCRIBED AS TRACT 2G, A ONE ACRE LOT OUT OF THE E. L. DE SHAZO SURVEY NO. 218 AND LOCATED AT JACK DUNCAN DRIVE AND NORTH MESA STREET, EL PASO COUNTY, TEXAS.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

The Mayor is hereby authorized to sign a contract for professional appraisal services between the City of El Paso and Martha Gayle Reid, MAI, for a determination of the fair market value of a one acre parcel of land described as Tract 2G, E. L. DeShazo Survey No. 218 located at Jack Duncan Drive and North Mesa Street, El Paso, El Paso County, Texas. Estimated appraisal cost \$800.00.

.....

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to send written notice to the governing body of each taxing unit which levies real property taxes in the proposed reinvestment zones of the City's intent to create Tax Increment Financing District III in the West Central Enterprise Zone as required by Section 311.003 (e) of the Texas Tax Code.

Representative Medina asked for more information on this item and the following Resolution.

Mr. Norman Gordon, attorney, explained that the Resolution proposes to create two new tax increment financing districts, specifically named District II and District III. He explained the Tax Increment Finance Act for Council Members and noted the locations of the new districts as in the Westside Enterprise Zone and in the general area of R. E. Thomason General Hospital/Texas Tech Medical main campus for the development of the medical center complex. He explained that the Resolutions were on today's Agenda due to the Tax Increment Financing statute requiring 60 days notice be given to taxing entities before the Ordinance is adopted.

Representative Cook explained that tax increment district number two would lay the groundwork for the Border Health Institute and commended Mayor Raymond C. Caballero for initiating these taxing districts.

Mr. Carlos Renard, El Paso Community Foundation, stated that the foundation is committed to the revitalization of the downtown area and that the foundation wholeheartedly supports this action. He also commended the Mayor.

Mr. Gordon explained what the Tax Increment Financing Districts are.

Mr. Charlie McNabb, Interim Chief Administrative Officer, reiterated that the taxing districts also gives the City powers to buy, sell and trade property in such a way as to promote economic development in a manner that the City would not have if the tax increment finance districts were not created.

Mayor Caballero explained that all citizens have a stake in these districts.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

.....

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to send written notice to the governing body of each taxing unit which levies real property taxes in the proposed reinvestment zones of the City's intent to create Tax Increment Financing District II, a unified medical campus, as required by Section 311.003 (e) of the Texas Tax Code.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **RICHARD W. BLACK**, as a Network Systems Manager, for the Information Services Department at a biweekly rate of \$2,712.00, minimum of 40 hours per week. The total amount of contract not to exceed \$70,512.00 per year. The term of the contract shall be for the period of December 3, 2001 through December 2, 2003.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **YVONNE V. GUINN**, as a Public Safety Technology Manager for the Information Services Department at a biweekly rate of \$2,712.00, minimum of 40 hours per week. The total amount of contract not to exceed \$70,512.00 per year. The term of the contract shall be for the period of October 29, 2001 through October 28, 2003.

\*Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

Collection Supervisor (1)

\*Motion made, seconded and unanimously carried to approve the request by Representative Rodriguez that \$300.00 be allocated from District 2 Discretionary Fund Special Projects to the Sacramento Senior Citizen Center to assist with the Center's Halloween Party.

\*Motion made, seconded and unanimously carried to approve the request by Representative Rodriguez that \$50.00 be allocated from District 2 Discretionary Fund Special Projects to the Memorial Senior Citizen Center to assist with the Center's Halloween Party.

\*Motion made, seconded and unanimously carried to approve the request that \$100.00 be allocated from Representative Larry Medina's District 3 Special Projects Discretionary Funds to San Juan Recreation Center to assist with the Center's Halloween Party.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

with Christian Academy to hold a homecoming parade on October 19, 2001 from 1:00 p.m. to 2:45 p.m.

Representative Medina questioned whether the responses from the Fire and Sun Metro Departments were received and what the approximate costs to the City and the applicant were.

Ms. Diana Nunez, Administrative Assistant in the City Clerk's office, explained that the Fire and Sun Metro Departments had no objection to the event. The estimated cost to the City was \$375.00; estimated cost to the applicant was \$75.00.

Motion made by Representative Escobar, seconded by Representative Medina and unanimously carried to approve the request of Faith Christian Academy to hold a homecoming parade on October 19, 2001 from 1:00 p.m. to 2:45 p.m. Route: Enter Valley Crest (south) from Abundant Living Faith Center, left on Escobar, turn onto Faith Christian Academy parking lot. Approximately 500 persons and 30 vehicles will take part and 25 spectators are anticipated. PERMIT NO. 01-148

ORDINANCE 14957

The City Clerk read an Ordinance entitled: **AN EMERGENCY ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO INCLUDE SAN ANTONIO AVENUE BETWEEN FLORENCE STREET AND OCHOA STREET; OVERLAND AVENUE BETWEEN FLORENCE STREET AND OCHOA STREET; FLORENCE STREET BETWEEN SAN ANTONIO AVENUE AND OVERLAND AVENUE; OCHOA STREET BETWEEN SAN ANTONIO AVENUE AND OVERLAND AVENUE; SAN ANTONIO AVENUE BETWEEN CAMPBELL STREET AND KANSAS STREET; MYRTLE AVENUE BETWEEN CAMPBELL STREET AND KANSAS STREET; CAMPBELL STREET BETWEEN SAN ANTONIO AVENUE AND MYRTLE AVENUE; KANSAS STREET BETWEEN SAN ANTONIO AVENUE AND MYRTLE AVENUE. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Medina asked how many parking spaces would be removed due to this Ordinance.

Ms. Rita Rodriguez, First Assistant City Attorney, responded approximately 25 parking spaces would be removed and pointed out where they were located.

Ms. Margaret Leachman, United States Attorney's office, thanked the Council for supporting the Ordinance and the City Attorney's office for their assistance in preparing the Ordinance. She explained that the parking spaces would be removed within 75 yards of the building to increase the security surrounding the building.

Ms. Rodriguez explained that metered parking was being removed and that an amendment to the Ordinance would need to be written to include the "marked vehicle" language. She noted that this was an emergency Ordinance in existence for 30 days. If Council Members desired, the Ordinance could be considered as a regular ordinance within the next 30 days. She explained the proper procedure for adopting the emergency Ordinance.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the introduction of the above Ordinance.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to close the Public Hearing.

Motion duly made by Representative Cook, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and he same is hereby adopted.

.....  
No action was taken on the discussion to ensure that all City employees who are in the U.S. Armed Forces Reserves and are called to active duty will not experience any decrease in income or other benefits provided by the City of El Paso while they are serving their country. (Representative Medina)

Representative Medina explained what transpires when a City employee is deployed with his/her Reserve Unit and the consequences to the City employee's vacation leave, pay, etc.

Representative Power asked Ms. Terry Bond, Interim Director of Personnel, to explain the City's policy regarding this issue.

Ms. Bond stated that the law requires that the City pay 15 days military leave per calendar year, which begins October 1<sup>st</sup>.

Ms. Rita Rodriguez, First Assistant City Attorney, remarked that the City must harmonize with the State and Federal laws. She stated that State law states "no gift of public funds" and that federal law requires the 15 days and other requirements for insurance.

Mayor Raymond C. Caballero suggested that the City Attorney's office prepare a brief to discuss what the laws are, what the City's past practices were, and what the economic consequences might be.

Representative Sumrall stated that reservists are aware of the pay, benefits, etc. when they enlist.

.....  
Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- Section 551.071      CONSULTATION WITH ATTORNEY
- Section 551.072      DELIBERATION REGARDING REAL PROPERTY
- Section 551.073      DELIBERATION REGARDING PROSPECTIVE GIFTS
- Section 551.074      PERSONNEL MATTERS
- Section 551.076      DELIBERATION REGARDING SECURITY DEVICES

- A.      Maria Guadalupe Ortiz, 01-C-177 (551.071)
- B.      Elva Lidia Saenz, 01-C-206 (551.071)

Motion made, seconded and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

.....  
Motion made by Representative Medina, seconded by Representative Sariñana and carried that the claim entitled **MARIA GUADALUPE ORTIZ**; Our File No. 01-C-177 be **DENIED** as recommended by the City Attorney.

Representatives Rodriguez and Escobar were not present for the vote.

.....  
Motion made by Representative Medina, seconded by Representative Sariñana and carried that the claim entitled **ELVA LIDIA SAENZ**; Our File No. 01-C-206 be **DENIED** as recommended by the City Attorney.

Representatives Rodriguez and Escobar were not present for the vote.

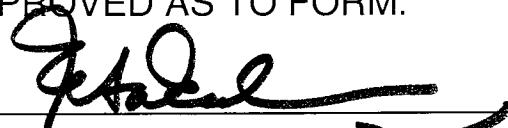
.....  
Motion made by Representative Sariñana, seconded by Representative Cobos and unanimously carried to adjourn this meeting at 11:14 a.m.

APPROVED AS TO CONTENT:

Carole Hunter

Carole Hunter, City Clerk

APPROVED AS TO FORM:



Rita Rodriguez, City Attorney